

House File 584 - Introduced

HOUSE FILE 584
BY COMMITTEE ON HEALTH AND
HUMAN SERVICES

(SUCCESSOR TO HF 373)

A BILL FOR

- 1 An Act relating to individual licensees who provide child
- 2 foster care.
- 3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 237.3, Code 2023, is amended by adding
2 the following new subsections:

3 NEW SUBSECTION. 11. The department shall adopt rules to
4 require the department or a representative of the department
5 to visit a child placed with an individual licensee within two
6 weeks of the child being placed with the individual licensee
7 and at least once each calendar month thereafter.

8 NEW SUBSECTION. 12. The department shall adopt rules that
9 would allow individual licensees to apply the reasonable and
10 prudent parent standard to create opportunities for a child to
11 participate in age or developmentally appropriate activities.

12 Sec. 2. Section 237.5A, Code 2023, is amended by adding the
13 following new subsection:

14 NEW SUBSECTION. 3. The department or the department's agent
15 shall notify an individual licensee within a reasonable amount
16 of time of any training the department believes would benefit
17 the licensee in the provision of child foster care.

18 Sec. 3. NEW SECTION. **237.10 Child foster care providers.**

19 1. *a.* The department shall notify an individual licensee of
20 any appropriate meetings relating to the case permanency plan
21 of a child in the care of the individual licensee.

22 *b.* The department shall notify an individual licensee of any
23 meetings known to the department relating to the individualized
24 education program of a child in the care of the individual
25 licensee.

26 *c.* The department shall notify an individual licensee of
27 any medical appointments required or scheduled in consultation
28 with the department relating to a child in the care of the
29 individual licensee.

30 2. The department or the department's agent may share
31 otherwise confidential information about a child with an
32 individual licensee being considered as a possible placement
33 for the child to the extent such disclosure is relevant to
34 the placement decision and the proper care of the child. The
35 department or the department's agent may facilitate sharing

1 the contact information of previous individual licensees for a
2 child with the next individual licensee in an effort to support
3 the continuity of care for a child.

4 3. Upon placement of a child with an individual licensee,
5 the department shall provide the individual licensee with
6 information that would allow the individual licensee to contact
7 the department or an agent of the department for assistance
8 relating to child foster care.

9 4. Prior to disclosing an individual licensee's private
10 address, work address, or contact information, the department
11 shall evaluate possible safety concerns to determine whether
12 such information may be released without posing a risk to the
13 safety of the individual licensee, the child, or any other
14 person.

15 5. The department shall notify an individual licensee
16 within a reasonable amount of time of any change in a law
17 or regulation that would have a substantive impact on the
18 individual licensee's obligations and responsibilities relating
19 to child foster care.

20 6. *a.* The department shall provide written notice to an
21 individual licensee a minimum of ten days prior to the removal
22 of a child from the care of the individual licensee. Such
23 notice shall include the reasons for the child's removal.

24 *b.* This subsection shall not apply if the health or safety
25 of the child or another person is threatened by the child's
26 presence in the child's current placement home, if the court
27 orders the removal of a child from the individual licensee, if
28 the child is absent from the home without authorization, if
29 the child is being moved to the home of a biological parent or
30 legal guardian, or if the individual licensee is alleged to
31 have committed child abuse or neglect.

32 7. *a.* An individual licensee shall provide written notice
33 to the department a minimum of ten days prior to a request to
34 remove a child from the individual licensee's care.

35 *b.* This subsection shall not apply to a situation where the

1 health or safety of the child or another person is threatened
2 by the child's presence in the child's current placement home.

3 8. At the conclusion of an investigation conducted by the
4 department that may affect an individual licensee's ability to
5 provide child foster care in the future, the department shall
6 provide the individual licensee with a written report that
7 details the conclusions of the investigation.

8 9. a. The department shall require an individual licensee
9 to attempt, to the extent reasonably possible, to maintain a
10 child's culture and beliefs.

11 b. An individual licensee shall be allowed to provide child
12 foster care, according to the individual licensee's own culture
13 and beliefs, if such child foster care does not actively
14 discourage a child to disregard the child's own culture and
15 beliefs and a biological parent whose parental rights have not
16 been terminated or a legal guardian for the child does not
17 object to the practice or activity that is consistent with the
18 individual licensee's own culture and beliefs.

19 10. a. The department or the department's agent shall
20 consider the needs and scheduling demands of a child, the
21 child's parents, the child's siblings, and the individual
22 licensee caring for the child when scheduling supervised or any
23 other visitation between the child and the child's siblings,
24 family members, or fictive kin.

25 b. The department shall not require an individual licensee
26 to conduct or be present during supervised visits scheduled
27 pursuant to paragraph "a".

28 11. The department shall accept information from an
29 individual licensee relating to medical appointments,
30 treatment needs, educational progress, and educational
31 services for a child placed with the individual licensee.
32 The department shall consider all such information when
33 developing or modifying a child's case permanency plan and in
34 the coordination of care and decisions related to services and
35 care necessary for the child. The information the department

1 receives from individual licensees will be reviewed and
2 considered as decisions about the child's progress and needs
3 are made.

4 12. The department shall maintain a process to allow an
5 individual licensee to file complaints with the department
6 electronically for alleged violations relating to this section.

7 13. The department shall adopt rules pursuant to chapter 17A
8 to implement this section.

9 EXPLANATION

10 The inclusion of this explanation does not constitute agreement with
11 the explanation's substance by the members of the general assembly.

12 This bill relates to individual licensees who provide child
13 foster care.

14 The bill requires the department of health and human
15 services (HHS) to notify individuals licensed to provide foster
16 care of any training the department believes would benefit the
17 licensee in the provision of child foster care.

18 The bill creates new rights and responsibilities for
19 licensed foster parents and new duties for HHS in relation to
20 licensed foster parents and the ability of licensed foster
21 parents to care for foster children. The bill also requires
22 HHS to maintain a process that allows a licensed foster parent
23 to file a complaint electronically relating to a violation of
24 foster parent rights.